

# The *No Child Left Behind Act* and Benefits for Private School Students

U.S. Department of Education  
Office of Non-Public Education

*The Elementary and Secondary  
Education Act as Reauthorized by the  
NO CHILD LEFT BEHIND ACT  
P.L. 107-110*

*"The most sweeping reform of federal  
education policy in a generation."*



# NO CHILD LEFT BEHIND ACT

- Creates Strong Standards and Accountability for Results
- Provides for State and Local Flexibility
- Reduces Red Tape
- Focuses Resources on Research-Based Approaches
- Expands Choices for Parents

# ESEA AS REAUTHORIZED BY THE NO CHILD LEFT BEHIND ACT

## *Private School Student Participation*

- **Title I – Improving the Academic Achievement of the Disadvantaged**
  - *Improving Basic Programs Operated by LEAs (Part A)*
  - *Reading First (Part B, Subpart 1)*
  - *Even Start Family Literacy (Part B, Subpart 3)*
  - *Education of Migratory Children (Part C)*
- **Title II – Preparing, Training and Recruiting High Quality Teachers and Principals**
  - *Teacher and Principal Training and Recruiting Fund (Part A)*  
*[Equitable participation required to the extent that the LEA uses the funds to provide professional development]*
  - *Mathematics and Science Partnerships (Part B)*
  - *Enhancing Education Through Technology (Part D)*

# ESEA AS REAUTHORIZED BY THE NO CHILD LEFT BEHIND

## *Private School Student Participation (continued)*

### ● Title III – Language Instruction for LEP and Immigrant Students

- *English Language Acquisition, Language Enhancement, and Academic Achievement Act (Part A)*

### ● Title IV – 21<sup>st</sup> Century Schools

- *Safe and Drug-Free Schools and Communities (Part A)*
- *21<sup>st</sup> Century Community Learning Centers (Part B)*

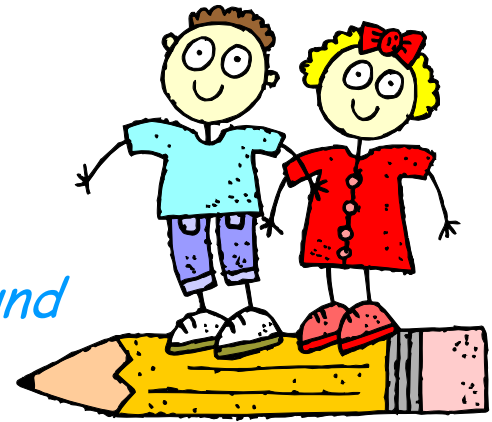
### ● Title V – Promoting Informed Parental Choice and Innovative Programs

- *Innovative Programs (Part A)*
- *Gifted and Talented Students (Part D, Subpart 6) [More limited language on equitable participation]*

# Programs Requiring Equitable Participation Under the Uniform Provisions (Title IX)

## *Covered Programs:*

- *Reading First*
- *Even Start Family Literacy*
- *Education of Migratory Children*
- *Teacher and Principal Training and Recruiting Fund*
- *Mathematics and Science Partnerships*
- *Enhancing Education Through Technology*
- *English Language Acquisition, Language Enhancement, and Academic Achievement Act*
- *Safe and Drug-Free Schools and Communities*
- *21<sup>st</sup> Century Community Learning Centers*



*[Title I, Basic Programs; Title V, Innovative Programs; and Title V, Gifted Programs contain provisions for the equitable participation of private school students within their own titles.]*

# CONSULTATION (Under the Previous ESEA)

- Timely and meaningful consultation during the design and development of the programs on such issues as:
  - How the children's needs will be identified
  - What services will be offered
  - How and where the services will be provided
  - How the services will be assessed
  - Service delivery mechanisms used to provide equitable services
- Such consultation shall occur before the local educational agency makes any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate



# ESEA AS REAUTHORIZED BY THE NO CHILD LEFT BEHIND ACT CONSULTATION

## Consultation Requirements Strengthened to Include:

### ● Meaningful consultation on such issues as:

- Who will provide the services
- How the results of the assessment will be used to improve those services
- The amount of funds available to serve private school students
- The size and scope of the services to be provided
- How and when the agency will make decisions about the delivery of services





# ESEA AS REAUTHORIZED BY THE NO CHILD LEFT BEHIND ACT CONSULTATION (continued)

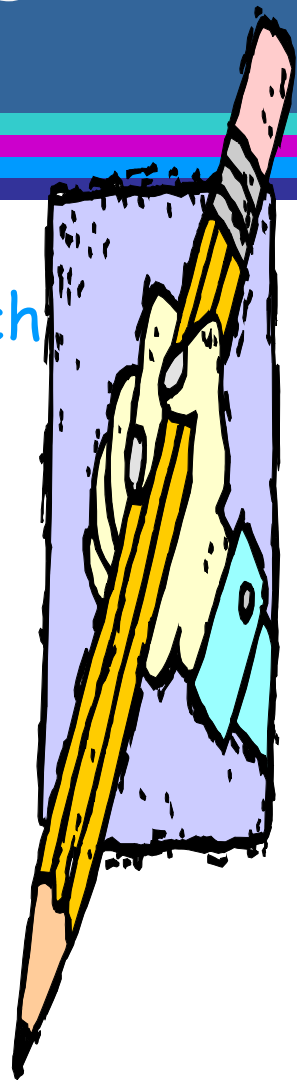
## Consultation Requirements Strengthened to Include:

- Thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers
- Where the LEA disagrees with the views of the private school officials on the provision of services through a contract, the LEA must provide a written explanation of the reasons why the local educational agency has chosen not to use a contractor
- Consultation [meetings] must continue throughout the implementation and assessment of services



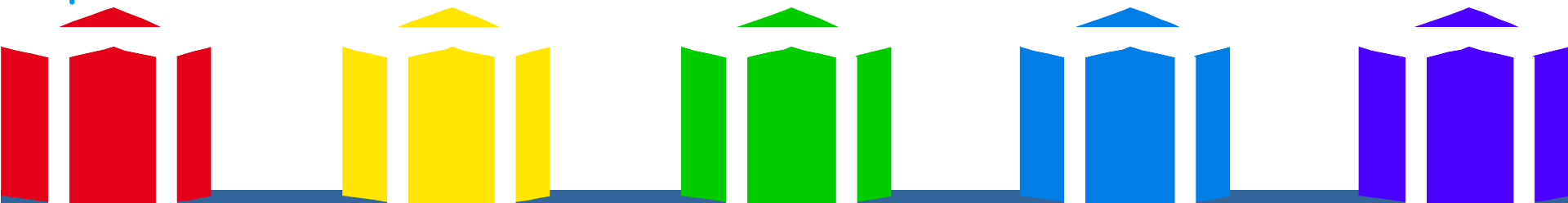
# Title I, Part A—Improving the Academic Achievement of the Disadvantaged

- New provisions in Title I include:
  - A written affirmation signed by officials for each participating private school that the required consultation has occurred
  - Counts of poor private school children may be determined every two years
  - Consultation must include *meetings* between the LEA and private school officials, which must continue throughout implementation and assessment of services
- Requires equitable participation of private school teachers and families in parental involvement and professional development activities (sections 1118 and 1119)



# Title I, Part A—Improving the Academic Achievement of the Disadvantaged (continued)

- Makes clear that “proportionality” is an acceptable way to calculate poverty of private school children
- Makes clear some of the factors, such as program quality or timeliness of services, that are considered in making a determination that an LEA has substantially failed to provide equitable services
- The *Committee of Practitioners* that advises the SEA on implementing Title I must include representatives of private school children



# Title I, Part A—Improving the Academic Achievement of the Disadvantaged (continued)

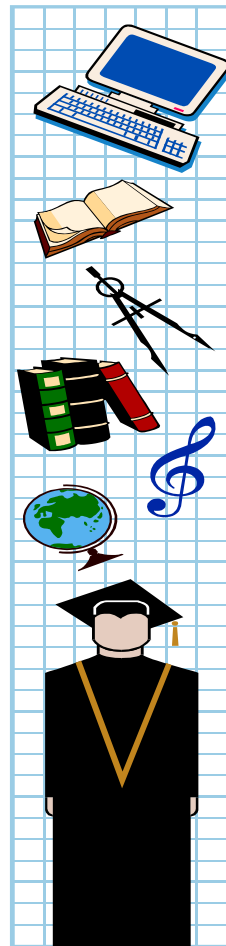
## Capital Expenses:

- Despite the elimination of appropriations specifically designated for capital expenses, Title I funds may still pay for capital expense type items. The costs would come out of the regular Title I allocation and be taken “off the top” as administrative expenses.



# Title I, Part A—Improving the Academic Achievement of the Disadvantaged (continued)

- Provides services to address the educational needs of low-achieving students to help them meet the State's challenging academic content and student achievement standards
- Funds are generated on the basis of the number of economically disadvantaged private school students who reside in Title I attendance areas
- Educationally needy private school students who reside in Title I attendance areas are eligible for services
- Services to eligible private school students must be equitable in comparison to services for public school children
- Services may take place during, before, and after school, and be provided directly by the LEA or through a third-party contractor



# TITLE I, Part B

## *Reading First*

- Provides assistance to SEAs to establish scientific research-based reading programs for children in kindergarten through grade three
- Most funds distributed to SEAs under a poverty-based formula. SEAs award at least 80% of funds to eligible LEAs through a competitive process, with priority given to high poverty areas with a high percentage of students in grades K-3 reading below grade level
- Funds must be used for reading programs, professional development, instructional materials, to administer screening, diagnostic, and classroom-based reading assessments, for collecting and reporting data, and promoting reading & library programs



# TITLE I, Part B

## *Even Start Family Literacy*

- Provides funds for unified family literacy programs, including early childhood education, adult basic education and literacy training, and parenting education
- Focus on children ages birth through age seven and their families
- SEAs receive funding based on current-year share of Title I, Part A funds
- SEAs make competitive grants to partnerships of LEAs and other organizations, giving priority to proposals that target empowerment zones, enterprise communities, or that propose to serve families in other high-poverty areas



# TITLE I, Part C

## *Migrant Education*

- Provides funds to establish and improve programs of education for children of migratory workers
- Formula grants to SEAs based on (40%) per-pupil expenditure for education and the number of migratory children in the state (ages 3-21)
- SEAs provide services either directly or through subgrants to local operating agencies (LEAs, public or nonprofit private agencies)



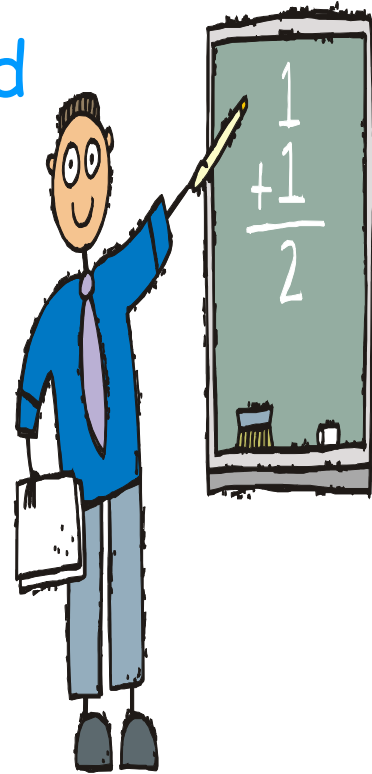


# TITLE II, Part A

## *Teacher and Principal Training and Recruiting Fund*

[ Consolidates Eisenhower Professional Development and Class Size Reduction programs (EPD/CSR)]

- Provides funds for preparing, training, and recruiting high-quality teachers
- Equitable participation required to the extent the LEA uses funds to provide professional development
- Formula grants to SEAs as well as subgrants to LEAs are based on FY 2001 allocation under EPD/CSR, child poverty and child population



# TITLE II, Part B

## *Mathematics and Science Partnerships*

- Provides funds to improve mathematics and science teaching through a variety of activities
- Three-year grants awarded on a competitive basis to eligible partnerships
- Partnerships must include at least: SEA\*, an engineering, math, or science department of an institution of higher education and a high-need LEA
- Within state, competitive awards to eligible partnerships if the State receives funds by formula



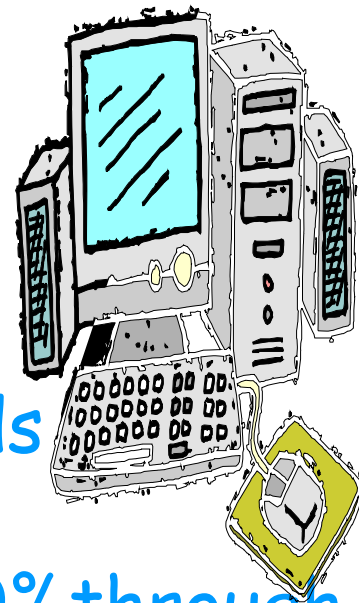
\* If the Secretary awards the grants

# TITLE II, Part D

## *Enhancing Education Through Technology*

[Formerly Title III--Consolidates Technology Literacy Challenge Fund and Technology Innovation Challenge Grant]

- Provides funds for innovative initiatives using technology, increasing access to technology, and professional development
- Formula grants to SEAs based on current-year share of Title I, Part A funds
- SEA distributes 50% of funds to LEAs based on prior-year Title I shares and 50% through competitive awards to high-need LEAs or partnerships that include high-need LEAs



# TITLE III

## *English Language Acquisition, Language Enhancement and Academic Achievement*

[Formerly Title VII--Consolidates the Bilingual Education Act and Emergency Immigrant Education Program]

- Provides funds for helping limited English proficient (LEP) children attain English proficiency and meet State academic standards
- Formula grants to SEAs based 80% on the number of LEP students in the state and 20% on the number of recent immigrant students. SEAs allocate funds to LEAs based mainly on share of LEP student population
- LEAs are able to choose the method of instruction they would use to teach LEP children



# TITLE IV, Part A

## *Safe and Drug-Free Schools*



- Provides funds for drug and violence prevention, character education, community service projects, conflict resolution and peer mediation programs, and other activities
- Formula grants to SEAs based on Title I and population. SEAs distribute funds to LEAs based 60% on Title I and 40% on student enrollment
- Activities/programs must meet the "Principles of Effectiveness"

# TITLE IV, Part B

## *21<sup>st</sup> Century Community Learning Centers*

- Provides funds to increase students' and communities' access to school building services and to before and after school activities, including enrichment activities that help children meet state academic achievement standards
- Formula grants to SEAs based on prior-year share of Title I, Part A. SEAs make competitive awards to local eligible entities
- SEAs required to make awards only to applicants that will primarily serve students who attend schools with concentrations of poor students

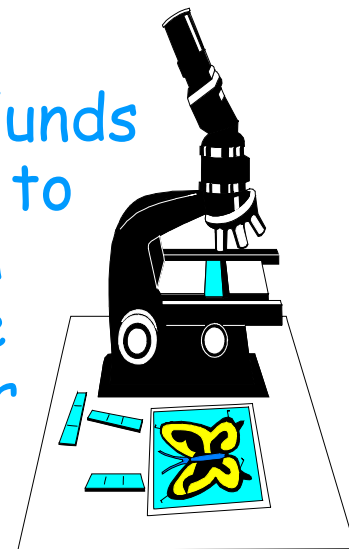


# TITLE V, Part A

## *Innovative Programs*

[Formerly Title VI, Innovative Education Program Strategies]

- Provides funds for education improvement programs, instructional and media materials, professional development, and other activities
- Formula grants to SEAs based on school-age population. SEAs distribute 85% in FY 2002 of funds to LEAs based on enrollment (with a requirement to provide a higher per-pupil allocation to LEAs with greatest numbers/percentages of children whose education imposes a higher-than-average cost per child)



# TITLE V, Part D, Subpart 6

## *Gifted and Talented Students*

[Formerly in Title X]

- Provides funds for scientifically based research, demonstration projects, innovative strategies, and activities designed to enhance the ability of schools to meet the needs of gifted and talented students
- Targeted toward economically disadvantaged students who are gifted and talented.
- Competitive grants to SEAs, LEAs, institutions of higher ED, and other public and private entities





# Title VI

## Flexibility and Accountability

- Provides options for SEAs and LEAs to transfer federal education program funds from a designated program to other ESEA programs that better address their needs
- S/LEAs may not transfer any funds from Title I, Part A, to any other program
- S/LEAs must consult with private school officials prior to making any decision that could impact the ability of private school students and teachers from benefiting from programs for which they are eligible

# For More Information

- *No Child Left Behind (NCLB) Web Site:*  
<http://www.ed.gov/nclb/>
- *IDEA Web Site for State Contacts:*  
[www.ed.gov/offices/OSERS/OSEP/state\\_contact\\_list.html](http://www.ed.gov/offices/OSERS/OSEP/state_contact_list.html)
- *IDEA Local Implementation by Local Administrators Partnership (ILIAD) at the Council for Exceptional Children:* [www.ideapractices.org](http://www.ideapractices.org)
- *Office of Non-Public Education (ONPE)*
  - 202-401-1365
  - E-mail: [OIINANon-PublicEducation@ed.gov](mailto:OIINANon-PublicEducation@ed.gov)
  - Web site: [www.ed.gov/offices/OIIA/NonPublic](http://www.ed.gov/offices/OIIA/NonPublic)

